

**HOUSE JOURNAL  
66TH LEGISLATURE  
TWENTIETH LEGISLATIVE DAY**

Helena, Montana  
February 1, 2019

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Read. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**SPECIAL ORDERS OF THE DAY**

Speaker Hertz moved the House revert to Order of Business #11, Special Orders of the Day, for the purpose of receiving an address by the Honorable Senator for the State of Montana, Steve Daines. Motion carried.

Majority Leader Tschida moved Speaker Hertz be authorized to appoint a committee of two members to escort the United States Senator into the House Chamber. Motion carried.

Speaker Hertz appointed Representative Glimm and Representative Krotkov. The Committee was discharged.

Sergeant-at-Arms Murfitt notified Speaker Hertz the United States Senator, Steve Daines awaited entrance into the House Chamber.

The Committee escorted the Senator into the Chamber.

Speaker Hertz introduced the Honorable Steve Daines, United States Senator for the State of Montana. Senator Daines gave the following remarks:

Thank you Speaker Hertz, members of the State House, and all other statewide elected officials here today.

Most importantly I'd like to thank my sweet wife Cindy of 32 years.

There is some exciting news out of the Daines family. Last week Cindy and I officially became grandparents. Our beautiful granddaughter, Emma Rae Daines, was welcomed into this world last Wednesday, January 23rd. We are beyond blessed and thankful.

And to the Legislators...thank you for your service to the people of Montana

And thanks to all of the hardworking staff and pages that help make this place run smoothly.

It is an incredible honor to represent Montana in the United States Senate. And it has been a great privilege working with all of you over the last six years – 2 years in the U.S. House and last 4 years in the U.S. Senate.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

57 years ago today, my 19 year old mom was pregnant with me. Working at the Missoula Merc in the hat/glove dept. while putting my dad through school at the U of M. Dad was also serving with the 36th Rifle Company out of Butte, where they would meet at Fort Missoula, along side two other fellow Marines you might have heard of before. Bobby Hauk's dad, Bob Hauk Sr. and John Bollinger. My folks they were working four jobs, and graduated in 1962 from U of M, and as the son of a Marine and a mom who faithfully served her family. They modeled hard work and service to me.

As a citizen legislature, you understand the importance of serving your constituents and communities as you put your lives, businesses, jobs and outdoor passions on hold and come to Helena to serve.

Montana is one of 30 states left that has a citizen legislature, and one of only four states that operate part time, with a small staff, and for not a whole lot of money.

You understand the importance of giving back and serving your communities. And for that, Montanans thank you.

Speaking of service.

Thank you to our State House members for passing a bill last month memorializing and honoring Broadwater County Deputy Sheriff Mason Moore who was tragically killed in the line of duty in May 2017. I look forward to seeing the State Senate follow suit very soon.

Next week, President Trump will deliver his State of the Union address. Each Member of Congress is allowed to bring one special guest to join and sit in the gallery to watch the special evening unfold.

This year, I'm honored to bring Mason's wife, Jodi Moore, as my guest.

Jodi's courage and bravery in advocating for our first responders since her husband's passing is remarkable. Jodi is a true Montana hero. And I am thankful for her service.

Ladies and gentlemen, as you know, we are here to serve, not be served. I worked in the private sector for 28 years before public service and for 28 years never took an oath before starting a job, until being elected to the U.S. House. We take an oath, an oath it is not to a particular political party. As a United States Senator, I take an oath to support and defend the Constitution of the United States. As Montana legislators, you all take that same oath, and you take an oath to protect and defend the Constitution of the state of Montana. We are here to serve, not to be served.

But there is no denying the reality of some of the challenges we face today. We are living in a very politically divisive world.

However, the issues most important to Montanans should not be held captive to the partisan politics that we're seeing in both Helena and Washington, D.C.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

Montanans know what's best for Montana.

Montanans don't want the government controlling their everyday decisions and they don't want the government's hand reaching deeper into their pockets.

Montanans want less government and more higher paying jobs.

Montanans want a growing economy and expanded tax base.

Montanans want access to their public lands.

These issues should be bipartisan.

While there is much to be done, we have made some great strides in growing our economy and creating jobs.

The U.S. economy is ranked as the most competitive world economy for the first time in a decade. We experienced the 3rd best year for job creation this century and one of the best years in a decade for wage growth. Middle class income recently hit an all-time high.

In December 2017, President Trump signed one of largest tax relief bills in our nation's history. Montanans on average get to keep a \$1,000 more of their hard-earned dollars. And we've seen almost 5,000 new jobs created in Montana.

My hope is the state of Montana doesn't raise what we just cut.

With the economy growing, we're seeing employers across Montana needing more workers.

The number of Americans participating in the work force is at multi decades low. We can do more to bring able bodied adults back into the work force.

We need to reform government assistance programs to be a springboard to independence, and not a sinkhole of dependency.

Government assistance programs for able bodied adults should be focused on helping people get back into the workforce not keeping them out.

We also need to drive workforce development and promote more apprenticeship programs.

Montanans also want safe, and healthy communities.

Montana is facing a devastating meth epidemic that is tearing our communities apart and destroying families.

From 2011 to 2017 we have seen a 415% increase in meth cases. We have seen a 35% rise in violent crimes. Our foster care systems are being overwhelmed.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

It's going to take an all hands-on deck effort from federal, state, and local governments, as well as individuals and community groups to fight this battle. I will continue working with local law enforcement, Attorney General Fox, and U.S. Attorney Kurt Alme to stop this crisis.

I'm thankful that in October 2018, President Trump signed landmark legislation into law that included two of my bills to help combat this crisis: the Mitigating METH Act and the STOP Act.

Montana's meth crisis has a direct impact on the epidemic we're seeing in tribal communities with missing and murdered native women and girls. Solving this issue must be bipartisan.

We have all been horrified by the tragic cases of Ashley Loring-Heavy Runner of the Blackfeet Tribe and Henny Scott of the Northern Cheyenne Tribe.

These stories are unacceptable. We must do better for these families. We must work to strengthen coordination between federal agencies, state and local governments. We must work to get more BIA agents on the ground. Fix the problems that have caused the process to be held up by prolonged FBI background checks, something Senator Jason Small and I have discussed.

Last month, I requested an official U.S. Senate hearing on this issue in Montana, so we can hear directly from families and tribal members on the ground. I will keep working until that happens.

Montana's meth crisis is another reason why we must secure our southern border. Just yesterday, Border Agents seized the largest Fentanyl bust in U.S. history. Enough Fentanyl to kill 57 million people.

Securing our borders is a fundamental role of the federal government and it should be bipartisan.

Securing our borders has a direct impact on Montana because our communities are being torn apart by Mexican meth coming through the southern border. In 2018, U.S. Customs and Border Patrol seized almost 250,000 pounds of meth coming from Mexico.

We must secure our borders and protect our communities from illegal drugs.

Montanans want lower prescription drug prices. That is bipartisan.

We must work to increase access to affordable medications for Montanans. I'm glad to see leadership in the state taking action on this important issue TODAY! Montanans want accountability and commonsense in Helena and Washington, D.C. That is bipartisan.

Last month, I introduced six bills in the U.S. Senate bringing accountability and commonsense to Washington, D.C.

If Congress can't pass a balanced budget, they shouldn't get paid. That's why I introduced the No Balanced Budget, No Pay Act.

I think Members of Congress should serve their time and go back home. I don't believe our

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

Founding Fathers envisioned Members of Congress building lifetime careers in DC.

What Montanans want to see is government that is serving the people, and not the other way around. Government, whether DC or Helena should not be a burden on Montanan's. It should not be impeding economic growth and prosperity.

We've seen the detrimental impacts when that doesn't happen.

Look what's happening right here in our backyard.

What is standing in the way of Keystone Pipeline creating \$60 million a year in revenue for Montana that would be used towards helping our schools, paying our teachers more.

What is standing in the way of 27 Montana timber sales that would create jobs, and reduce the risk of catastrophic wildfire, improve wildlife habitat?

What prevented the Yellowstone Intake Project from completion?

It's activist judges with politically motivated agendas.

That's why confirming judges is one of my most consequential votes as a United States Senator. They are lifetime appointments.

Montanans want judges that base their decisions on facts. Montanans want judges that base their decisions on the law. To ensure the laws are in accordance with our Constitution.

I'm thankful that over the last two years, the U.S. Senate has confirmed 85 judges to the bench. That includes a record setting 30 Circuit Court judges, 53 District Court judges, and 2 new Supreme Court Justices, but we must not stop there.

Because as we've seen with Keystone, Montana timber sales and the Yellowstone Intake Project, decisions made by our judges have direct impacts on the lives of Montanans.

This Congress I was just appointed to serve on the U.S. Senate Finance Committee. I'm just the third Montana senator to ever serve on this Committee, and the first to serve on U.S. Senate Finance and Appropriations Committees at the same time in 75 years! This is a good thing for Montana.

The Finance Committee has jurisdiction over taxes, trade agreements, and healthcare.

I also remain on the Senate Energy and Natural Resources Committee, and Senate Committee on Indian Affairs. These are both extremely important to Montana.

I was also grateful to be recognized as the most effective & most bipartisan Senator in my elected class.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

I will not stop fighting for commonsense solutions to issues that matter most to Montanans. Because I am here to serve, not be served.

And speaking of service, let me close with this story.

This past December I had the honor of visiting Kalispell's 495th Combat Sustainment Support Battalion in Afghanistan.

I had the privilege of meeting Lieutenant Colonel Michael Beck from Great Falls. Lt. Col Beck's service exemplifies the unique challenge our citizen-soldiers face: balancing two careers, civilian and military, while also raising families and being leaders in their communities. Since joining the military 35 years ago, Lt. Col. Beck has been deployed 6 times.

When Lt. Col. Beck is not downrange wearing his nation's uniform, he serves the community of Great Falls as a high school science teacher at C.M. Russell High School. He is also a loving husband to Jeri and the proud father of Camryn and Caleb.

I also met Sergeant First Class Amy Good of Libby. I couldn't help but notice there were two "Good" soldiers – both from the Libby area. Come to find out – there are six Guardsmen serving in Sergeant Good's family. Wow. Talk about a family who understands the importance of service.

We hand carried over about 50 lbs of Montana's own Hi-Country Beef Jerky and homemade cookies from my staff.

Visiting Kalispell's 495th was a great reminder of what true, dedicated service means.

Ladies and gentlemen, the 495th models for all us. We are here to serve, not be served. Let's keep working together on behalf of the people of our great state. Thank you

<<<>>>

Speaker Hertz thanked Senator Daines for his remarks and directed the Committee escort the Senator from the Chamber.

Sargent-at-Arms Murfitt escorted the guests from the Chamber.

Speaker Hertz called the House back to order.

Representative Pierson rose on a **Point of Personal Privilege** to thank Lieutenant Colonel Michael Beck from Great Falls for his military service.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**BILLS** (Ricci, Chair):

2/1/2019

Correctly engrossed: **HB 16, HB 65, HB 163, HB 164, HB 204, HB 214, HB 221, HB 226, HB 259, SJR 1.**

Transmitted to the Senate: **HB 35, HB 86, HB 108, HB 176.**

**REPORTS OF STANDING COMMITTEES**

**AGRICULTURE** (Shaw, Chair):

1/31/2019

**HB 221**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "REQUALIFICATION"

**Insert:** "RECERTIFICATION"

**Following:** "ONLINE;"

**Insert:** "REQUIRING REPORTING TO THE LEGISLATURE;"

**Strike:** "SECTION"

**Insert:** "SECTIONS 80-8-105 AND"

2. Page 1.

**Following:** line 9

**Insert:** "**Section 1.** Section 80-8-105, MCA, is amended to read:

**"80-8-105. Rules.** (1) The department may adopt by reference without a public hearing regulations adopted under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. The department may, after a public hearing, adopt all rules necessary to carry out this chapter.

(2) The rules may prescribe methods of:

(a) registration, suspension or cancellation of registration, application, use or restricting use, prohibiting use, offering or exposing for sale of any pesticide;

(b) determining whether pesticides are highly toxic to humans;

(c) determining standards of coloring or discoloring for pesticides and subjecting pesticides to the requirements of 80-8-202;

(d) licensing commercial applicators, operators, and dealers, establishing methods of recordkeeping for applicators, operators, and dealers, and providing for the review of the records by the department's authorized agent and the submission of the records to the department upon written request;

(e) issuing farm applicator special-use permits and the maintenance and submission of records by farm applicators issued special-use permits;

(f) collection, examination, and standard deviation from guarantee analysis and umpire analysis of pesticides and devices;

(g) operating and maintaining equipment used by applicators;

(h) developing examinations which must be held periodically throughout the state;

(i) establishing the form and content of all applications for licenses and permits;

(j) designating pesticides that may be sold at retail for home, yard, garden, and lawn use.

The department may also limit retail sale of pesticides, up to a specific number of pounds or gallons and concentration which would be sublethal to humans and animals if small amounts of it were

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

accidentally swallowed, inhaled, sprayed, or dusted on the skin.

(k) revoking licenses and permits;

(l) registering or controlling any spray adjuvant, such as a wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own intended to be used with any other pesticide as an aid to the application or effect of that other pesticide, whether or not distributed in a package or container separate from that of a pesticide with which it is to be used;

(m) registering pesticide-fertilizer and other chemical blends or, instead of registration, establishing licensing, inspection, and fees for blending plants;

(n) establishing registration procedures for devices, with a fee not to exceed \$5 per type of device, specifying classes of devices to be registered and providing for additional requirements;

(o) imposing conditions for renewal of dealer, applicator, and operator licenses and permits, including ~~requalification~~ recertification training;

(p) establishing procedures for implementing and administering the civil penalties under 80-8-306;

(q) establishing fees for training courses and materials;

(r) establishing standards and procedures for administering a waste pesticide and pesticide container collection, disposal, and recycling program;

(s) establishing special fees on waste pesticides or pesticide containers collected under the waste pesticide and pesticide container collection, disposal, and recycling program. These fees may be based upon volume, type, classification, or other characteristics of a pesticide or a pesticide container and may include a credit for pesticide applicator, dealer, or operator license or permit fees.

(t) establishing standards for pesticide storage, pesticide mixing or loading sites, and bulk pesticide facilities.

(3) (a) Consistent with the provisions of Title 80, chapter 15, whenever the department finds that rules are necessary to carry out the purposes and intent of this chapter, the rules may relate to the time, place, manner, and method of registration, suspension or cancellation of registration, application, or selling of the pesticides, may restrict or prohibit use of pesticides in the state or in designated areas during specified periods of time, and must encompass all reasonable factors that the department considers necessary to prevent damage or injury to:

(i) persons, animals, crops, or pollinating insects from the effect of drift or careless application;

(ii) the environment;

(iii) plants, including forage plants;

(iv) wildlife;

(v) fish and other aquatic life.

(b) In issuing the rules, the department shall give consideration to pertinent research findings and recommendations of other agencies of this state or of the federal government.

(4) If the department finds that an emergency exists which requires immediate action with regard to the registration, use, or application of pesticides, the department may, without notice or hearing, issue necessary orders or rules to protect the public health, welfare, and safety. An order or rule issued under this subsection is effective for the period prescribed by the Montana Administrative Procedure Act. If the department determines that the emergency order or rule should remain in effect, a public hearing under 80-8-106 must be held within the above period to determine whether the order or rule should be adopted by the department.



HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

(5) All rules and orders issued by the department must be made in writing and must be available at the department for public inspection. Except for orders establishing or changing rules of practice and procedure, all orders made and published by the department must include and be based upon written findings of fact. A copy of any rule or order certified by the department must be received in evidence in all courts of this state with the same effect as the original."

**Renumber:** subsequent section

3. Page 2, line 5.

**Strike:** the first "requalification"

**Insert:** "recertification"

**Strike:** "The department shall provide online requalification"

**Insert:** "Online recertification"

4. Page 2, line 6.

**Strike:** "requalification requirements."

**Insert:** "recertification requirements must be available to farm applicators. The department and the Montana state university-Bozeman extension service shall enter into a cooperative agreement to establish an online training program for farm applicators."

5. Page 2.

**Following:** line 22

**Insert:** "(8) On or before September 1, 2020, the department shall provide the economic affairs interim committee with a report in accordance with 5-11-210 on recertification requirements and efforts to initiate online training."

And, as amended, do pass. Report adopted.

**BUSINESS AND LABOR** (Noland, Chair):

2/1/2019

**HB 65**, introduced bill, be amended as follows:

1. Page 2, line 14.

**Strike:** "**without registered agent**"

**Insert:** "**by commissioner**"

2. Page 2, line 15.

**Following:** "state,"

**Insert:** "if"

3. Page 2, line 16.

**Following:** "address,"

**Strike:** "or"

**Insert:** "if"

4. Page 2, line 16.

**Following:** "[section 2],"

**STATE INTERNET/BBS COPY**

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**Insert:** "or for other good cause shown for which a person's rights may be adversely affected by inability to serve an insurer,"

And, as amended, do pass. Report adopted.

**HB 162**, do pass. Report adopted.

**HB 163**, introduced bill, be amended as follows:

1. Page 1, line 26.

**Following:** "and"

**Insert:** "and"

2. Page 1, lines 27 through 28.

**Strike:** "and" on line 27 through "corporation;" on line 28

3. Page 3, line 2.

**Strike:** "and"

4. Page 3, line 4.

**Following:** "escrow"

**Strike:** "."

**Insert:** "; and"

5. Page 3.

**Following:** line 4

**Insert:** "(16) bank-owned certificates of deposit fully insured by the federal deposit insurance corporation."

And, as amended, do pass. Report adopted.

**HB 196**, do pass. Report adopted.

**HB 214**, introduced bill, be amended as follows:

1. Title, page 1, line 6.

**Strike:** "PLAN NO. 1,"

**Following:** "PLAN NO. 2"

**Strike:** ", "

2. Title, page 1, line 8 through line 11.

**Strike:** "PLANS" on line 8 through "NO. 1 OR" on line 9

**Insert:** "PLAN"

**Strike:** "AUTHORIZING" on line 9 through "PLAN NO. 1;" on line 11

3. Title, page 1, line 15.

**Following:** "39-71-2201,"

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**Insert:** "AND"

**Strike:** "AND 39-71-2316,"

4. Page 1, line 19 through page 2, line 15.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

5. Page 2, line 18.

**Strike:** "plan No. 1 or"

6. Page 9, line 26.

**Strike:** "[section 2]"

**Insert:** "[section 1]"

7. Page 9, line 30.

**Strike:** "plan No. 1,"

**Following:** "No. 2"

**Strike:** "1"

8. Page 10, line 7.

**Strike:** "one"

**Following:** "compensation plan"

**Insert:** "No. 2 or plan No. 3"

9. Page 10, line 9.

**Strike:** "[section 2]"

**Insert:** "[section 1]"

10. Page 10, line 21.

**Following:** "agency,"

**Insert:** " other than a state agency,"

11. Page 10, line 22 through line 23.

**Following:** "agency" on line 22

**Strike:** "or" on line 22 through "subsection (2)(b)" on line 23

**Insert:** " other than a state agency"

12. Page 10, line 24 through line 27.

**Strike:** subsection (2)(b) in its entirety

**Renumber:** subsequent subsections

13. Page 10, line 28.

**Strike:** "If"

**Insert:** "A public corporation"

**Following:** "plan No. 1"

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**Strike:** ", a public corporation"

14. Page 11, line 2.

**Following:** "agency,"

**Insert:** ", other than a state agency,"

15. Page 11, line 8.

**Following:** "agency,"

**Insert:** ", other than a state agency,"

16. Page 11, line 9.

**Following:** "agency,"

**Insert:** ", other than a state agency,"

17. Page 11, line 22.

**Following:** "agencies,"

**Insert:** ", other than state agencies,"

18. Page 12, line 9 through line 10.

**Strike:** "has the meaning" on line 9 through "excluded and" on line 10

**Insert:** "includes"

**Strike:** "is included"

19. Page 14, line 1 through page 15, line 9.

**Strike:** Section 11 in its entirety

**Renumber:** subsequent sections

20. Page 15, line 11.

**Strike:** "[Sections 1 and 2] are"

**Insert:** "[Section 1] is"

21. Page 15, line 13.

**Strike:** "[sections 1 and 2]"

**Insert:** "[section 1]"

And, as amended, do pass. Report adopted.

**LOCAL GOVERNMENT** (Custer, Chair):

1/31/2019

**HB 154**, do pass. Report adopted.

**HB 259**, introduced bill, be amended as follows:

1. Page 1, line 8.

**Insert:** "WHEREAS, the 61st Legislature, in enacting Senate Bill No. 57, intended that a special district in existence on July 1, 2009, remain governed by the statutes under which it was created or established, as those statutes existed on June 30, 2009, until such time as it alters its

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

boundaries, changes its amount or method of assessment, or is proposed for dissolution; and

WHEREAS, if such a triggering event were to occur, the district would then be governed by Title 7, chapter 11, part 10; and

WHEREAS, it has been discovered that in transitioning to governance under Title 7, chapter 11, part 10, the special district's legal status becomes unclear, thus jeopardizing the district's ability to secure bonds or otherwise conduct its business."

2. Page 1, line 19.

**Insert:** "NEW SECTION. **Section 4. Saving clause.** [This act] does not affect financial duties that matured or financial penalties that were incurred before [the effective date of this act]."

**Renumber:** subsequent sections

And, as amended, do pass. Report adopted.

**RULES** (Skees, Chair):

2/1/2019

**SJR 1**, be amended as follows:

1. Page 3, line 1.

**Strike:** "OR"

2. Page 3, line 2.

**Following:** "media"

**Insert:** ", lobbyist, or member of the public or media"

And, as amended, be concurred in. Report adopted.

**STATE ADMINISTRATION** (Mandeville, Chair):

2/1/2019

**HB 164**, introduced bill, be amended as follows:

1. Title, page 1, line 5.

**Following:** "SHERIFF;"

**Insert:** "PROVIDING CRITERIA FOR A FORFEITURE OF OFFICE;"

2. Page 1, line 9.

**Following:** "sheriff."

**Insert:** "(1)"

3. Page 1, line 12.

**Strike:** "(1)"

**Insert:** "(a)"

**Renumber:** subsequent subsections

4. Page 1, line 12.

**Following:** "graduate or"

**Strike:** "its equivalent"

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**Insert:** "has been issued a high school equivalency diploma by the superintendent of public instruction or by an appropriate issuing agency of another state or of the federal government"

5. Page 1, line 18.

**Following:** "information"

**Insert:** "through the criminal justice information network as defined in 44-2-301.

(2) An elected or appointed sheriff who fails to obtain access to the criminal justice information network as required in subsection (1)(f) forfeits office for failure to satisfactorily meet the qualifications required of a sheriff"

And, as amended, do pass. Report adopted.

**HB 170**, do pass. Report adopted.

**HB 204**, introduced bill, be amended as follows:

1. Page 9, line 15.

**Following:** " "

**Insert:** "(c)"

2. Page 9, line 19 through line 20.

**Strike:** "no" on line 19 through "days" on line 20

3. Page 10, line 6.

**Strike:** "who"

**Insert:** "is void if the member"

4. Page 10, line 7.

**Strike:** "during" through "void"

**Insert:** "before the refund is processed"

5. Page 25, line 5.

**Strike:** "(a)"

6. Page 25, line 6.

**Strike:** subsection (b) in its entirety

And, as amended, do pass. Report adopted.

**TAXATION** (Redfield, Chair):

2/1/2019

**HB 16**, introduced bill, be amended as follows:

1. Page 1, line 24.

**Following:** "(3)"

**Insert:** "(a)"

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

2. Page 1, line 25.

**Following:** line 24

**Insert:** "(b) Loans made pursuant to this section must meet the following requirements:

(i) Projects funded with the loans must be multifamily rental housing projects that provide low-income and moderate-income housing.

(ii) The loan must be in the first lien position and may not exceed 95% of total development costs.

(iii) The minimum interest rate charged on a loan pursuant to this section is 0.5% less than the interest rate charged for a loan funded by the housing Montana fund provided for in 90-6-133.

(iv) The board and the loan recipient shall each pay half of loan servicing fees."

And, as amended, do pass. Report adopted.

**HB 24**, do pass. Report adopted.

**HB 226**, introduced bill, be amended as follows:

1. Page 1, line 15.

**Following:** "(2)"

**Insert:** "(a)"

**Strike:** "Subject"

**Insert:** "Except as provided in subsection (2)(b) and subject"

2. Page 1, line 19.

**Following:** line 18

**Insert:** "(b) An exemption may not be granted for a residence and the 1 acre of real property beneath a residence. If the 1 acre beneath a residence includes improvements used for the shooting range, the improvements other than the residence are exempt."

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**Senate bills** passed and transmitted to the House for concurrence:

1/30/2019

**SB 20**, introduced by R. Webb

**SB 92**, introduced by D. Salomon

**SB 98**, introduced by F. Smith

**SB 101**, introduced by K. Regier

**SB 119**, introduced by M. Blasdel

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 358**, introduced by R. Farris-Olsen, referred to Business and Labor.

**HB 359**, introduced by S. Vinton, W. Curdy, N. Duram, F. Garner, D. Harvey, G. Hertz, V. Ricci, referred to Judiciary.

**HB 360**, introduced by M. Regier, referred to Fish, Wildlife and Parks.

**HB 361**, introduced by P. Webb, referred to Judiciary.

**HB 362**, introduced by J. Hamilton, D. Fern, P. Flowers, B. Grubbs, Z. Perry, D. Skees, T. Woods, referred to Business and Labor.

**HB 363**, introduced by L. Bishop, A. Redfield, referred to Human Services.

**HB 364**, introduced by J. Read, D. Bartel, referred to Local Government.

**HB 365**, introduced by K. Dudik, W. Curdy, R. Shaw, K. White, referred to Taxation.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 12**, introduced by J. Read, D. Bedey, B. Brown, referred to Energy, Technology and Federal Relations.

The following Senate bills were introduced, read first time, and referred to committees:

**SB 20**, introduced by R. Webb (by request of the Local Government Interim Committee), referred to Local Government.

**SB 92**, introduced by D. Salomon, referred to Education.

**SB 98**, introduced by F. Smith, referred to State Administration.

**SB 101**, introduced by K. Regier, referred to State Administration.

**SB 119**, introduced by M. Blasdel, referred to Business and Labor.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Tschida moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Berglee in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 33** - Representative Windy Boy moved **HB 33** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Bartel, Berglee, Bessette, Bishop, Brown Z, Buttrey, Caferro, Curdy, Custer, Doane, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Galt, Garcia, Garner, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C,



HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.  
Total 80

Nays: Ballance, Beard, Bedey, Brown B, Burnett, DeVries, Dooling, Fuller, Galloway, Glimm, Greef, Gunderson, Manzella, Moore T, Noland, Redfield, Regier, Ricci, Skees, Webb.  
Total 20

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 148** - Representative Mandeville moved **HB 148** do pass. Motion carried as follows:

Yeas: Anderson, Ballance, Bartel, Beard, Bedey, Berglee, Brown B, Burnett, Buttrey, DeVries, Doane, Dooling, Dunn, Duram, Fitzgerald, Fleming, Fuller, Galloway, Galt, Garner, Glimm, Greef, Gunderson, Hopkins, Jones, Kassmier, Knudsen C, Knudsen R, Krautter, Lenz, Loge, Mandeville, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Noland, Redfield, Regier, Ricci, Sales, Shaw, Skees, Tschida, Usher, Vinton, Webb, Welch, White, Zolnikov, Mr. Speaker.  
Total 53

Nays: Abbott, Bachmeier, Bahr, Bessette, Bishop, Brown Z, Caferro, Curdy, Custer, Dudik, Dunwell, Farris-Olsen, Fern, Funk, Garcia, Grubbs, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Karjala, Keane, Kelker, Keogh, Kerr-Carpenter, Krotkov, Lynch, Marler, Morigeau, Olsen, Peppers, Perry, Pierson, Pope, Read, Runningwolf, Ryan, Schreiner, Smith, Stewart Peregoy, Sullivan, Sweeney, Weatherwax, Windy Boy, Winter, Woods.  
Total 47

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**HB 205** - Representative Shaw moved **HB 205** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: DeVries, Regier.

Total 2

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 239** - Representative Marler moved **HB 239** do pass. Motion carried as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fuller, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Manzella, Marler, McKamey, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Regier, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Weatherwax, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Beard, Burnett, Fleming, Galloway, Knudsen C, Knudsen R, Mercer, Redfield, Ricci, Usher, Vinton, Webb.

Total 12

Voted absentee: None.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

Excused: None.

Total 0

Absent or not voting: Mandeville.

Total 1

Majority Leader Tschida moved the Committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Berglee moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen R, Krautter, Krotkov, Lenz, Loge, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Knudsen C, Lynch, Peppers, Smith.

Total 4

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 35** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov,

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

Loge, Lynch, Mandeville, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sullivan, Sweeney, Usher, Vinton, Weatherwax, Webb, Welch, White, Winter, Woods, Mr. Speaker.

Total 87

Nays: Bahr, DeVries, Doane, Fuller, Galloway, Kelker, Lenz, Manzella, Noland, Skees, Tschida, Windy Boy, Zolnikov.

Total 13

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 86** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Beard, Bedey, Berglee, Bessette, Bishop, Brown Z, Burnett, Buttrey, Custer, Doane, Dooling, Dudik, Dunwell, Farris-Olsen, Fern, Fitzgerald, Fleming, Funk, Galloway, Galt, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Perry, Pierson, Pope, Redfield, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Smith, Stewart Peregoy, Sweeney, Usher, Vinton, Weatherwax, Welch, White, Winter, Woods, Mr. Speaker.

Total 76

Nays: Bartel, Brown B, Caferro, Curdy, DeVries, Dunn, Duram, Fuller, Garcia, Glimm, Hopkins, Knudsen C, Knudsen R, Noland, Olsen, Peppers, Read, Regier, Skees, Sullivan, Tschida, Webb, Windy Boy, Zolnikov.

Total 24

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**HB 108** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.  
Total 98

Nays: Glimm, Moore T.  
Total 2

Voted absentee: None.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 176** passed as follows:

Yeas: Abbott, Anderson, Bachmeier, Bahr, Ballance, Bartel, Beard, Bedey, Berglee, Bessette, Bishop, Brown B, Brown Z, Burnett, Buttrey, Caferro, Curdy, Custer, DeVries, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fitzgerald, Fleming, Fuller, Funk, Galloway, Galt, Garcia, Garner, Glimm, Greef, Grubbs, Gunderson, Hamilton, Hamlett, Harvey, Hayman, Holmlund, Hopkins, Jones, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krautter, Krotkov, Lenz, Loge, Lynch, Mandeville, Manzella, Marler, McKamey, Mercer, Moore E, Moore T, Morigeau, Mortensen, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Ricci, Runningwolf, Ryan, Sales, Schreiner, Shaw, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Usher, Vinton, Weatherwax, Webb, Welch, White, Windy Boy, Winter, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.  
Total 0

Voted absentee: None.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 249 failed** as follows:

Yeas: Anderson, Ballance, Bedey, Berglee, Bishop, Buttrey, Custer, DeVries, Fitzgerald, Fleming, Galloway, Garcia, Garner, Greef, Grubbs, Gunderson, Hamlett, Holmlund, Jones, Krautter, Lenz, Loge, Manzella, McKamey, Mercer, Moore E, Moore T, Mortensen, Ricci, Sales, Shaw, Usher, Vinton, Webb, Welch, Mr. Speaker.

Total 36

Nays: Abbott, Bachmeier, Bahr, Bartel, Beard, Bessette, Brown B, Brown Z, Burnett, Caferro, Curdy, Doane, Dooling, Dudik, Dunn, Dunwell, Duram, Farris-Olsen, Fern, Fuller, Funk, Galt, Glimm, Hamilton, Harvey, Hayman, Hopkins, Karjala, Kassmier, Keane, Kelker, Keogh, Kerr-Carpenter, Knudsen C, Knudsen R, Krotkov, Lynch, Mandeville, Marler, Morigeau, Noland, Olsen, Peppers, Perry, Pierson, Pope, Read, Redfield, Regier, Runningwolf, Ryan, Schreiner, Skees, Smith, Stewart Peregoy, Sullivan, Sweeney, Tschida, Weatherwax, White, Windy Boy, Winter, Woods, Zolnikov.

Total 64

Voted absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**UNFINISHED BUSINESS**

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 293**.  
Motion carried.

**HB 293** (W. Galt, Chief Sponsor)  
Bedey.

HOUSE JOURNAL  
TWENTIETH LEGISLATIVE DAY - FEBRUARY 1, 2019

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Tschida moved the House adjourn until 1:00 p.m., Monday, February 4, 2019.  
Motion carried.

House adjourned at 2:16 p.m.

LINDSEY VROEGINDEWEY  
Chief Clerk of the House

GREG HERTZ  
Speaker of the House